

REMARKS

The present application includes pending claims 1-39, all of which are rejected. In particular, claims 1-39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2003/0097655 (“Novak”) in view of U.S. 2004/0203379 (“Witkowski”). The Applicants respectfully traverse these rejections for at least reasons previously discussed during prosecution and the following:

I. The Proposed Combination Does Not Render Claims 1-13 Unpatentable

Claim 1 recites, in part, “server software that . . . responds [to a request that identifies one or more of the associated first, second, and/or third network addresses and authorization information] by identifying at least one other of the one or more of the associated first, second, and/or third network addresses to support the delivery of media to the at least one vehicle system.” Thus, claim 1 is clear that there is (1) a request that **identifies** one of more of the associated first, second and/or third network addresses **and** authorization information and (2) in response to that request, the server software identifies at least one other of the one or more of the associated first, second and/or or third network addresses to support the delivery of media to the at least one vehicle system. Thus, the request identifies (a) the first, second and/or third network addresses **and** (b) authorization information. In response to that request, the server software identifies another of the first, second and/or third network addresses. The Office Action has not shown where any of the cited references disclose such limitations.

The Office Action cites Novak as disclosing this limitation. *See* February 21, 2008 Office Action at page 3.

However, Novak “relates to a system and method for providing conditional access to digital content.” Novak at [0002]. Novak describes a system in which a user requests a specific medium, and that user’s identity is then established with a verification entity. In particular, Novak discloses the following:

In one implementation, an entertainment device, such as an Interactive Television (ITV) system, sends a user request to view specific digital content to a verification entity. The request may be sent via a persistent network connection, although a temporary network connection may be used in an alternative implementation. The request may be embodied in any suitable format according to the devices and/or software being used.

The user’s identity is the established with the verification entity.

Id. at [0024]-[0025]. Thus, Novak discloses that a user’s request is sent to a verification entity. However, neither that verification entity, nor anything else, **responds to that request** by “**identifying** at least one other of the one or more of the associated first, second, and/or third network addresses.”

The Office Action cites Novak at [0114]-[0126] as disclosing the “identifying” limitation. *See* February 21, 2008 Office Action at page 4. These paragraphs disclose “license keys” and which “licenses” may be transferred to certain users. A review of these paragraphs of Novak, however, demonstrates that they are devoid of anything that describes, teaches or suggests “server software that . . . responds [to a request that **identifies** one or more of the associated first, second, and/or third network addresses **and** authorization information] by **identifying at least one other** of the one or more of the associated first, second, and/or third network addresses to support the delivery of media to the at least one vehicle system.” If the Office Action maintains this rejection, the Applicants respectfully request **specific citations within these paragraphs** (as

opposed to an overly broad listing of paragraphs of Novak) that allegedly disclose the limitations noted above. The current Office Action has not explained or shown how the cited portions of Novak disclose the relevant claim limitations. Instead, the current Office Action merely lists numerous paragraphs of Novak and makes blanket assertions of what they supposedly disclose without **quoting or citing directly** from those cited portions.

Nevertheless, the Applicants maintain that there is nothing in the portions of Novak relied on by the Office Action, nor the remainder of Novak that describes, teaches or suggests “server software that . . . **responds** [to a request that identifies one or more of the associated first, second, and/or third network addresses and authorization information] **by identifying at least one other of the one or more of the associated first, second, and/or third network addresses** to support the delivery of media to the at least one vehicle system,” as recited in claim 1. Indeed, neither Novak, nor Witkowski, alone or in combination with one another, describes, teaches or suggests this limitation. Thus, for at least these reasons, the Applicants respectfully submit that the proposed combination does not render claims 1-13 unpatentable.

Additionally, the Office Action acknowledges that “Novak does not teach at least one vehicle system to be another user’s terminal associated with Set-top terminal.” *See* February 21, 2008 Office Action at page 4. In order to overcome this deficiency, the Office Action relies on Witkowski. *See id.* at page 4.

Witkowski “relates to the transmission of vehicle diagnostic information utilizing a Bluetooth Communication protocol.” Witkowski at [0002]. Witkowski discloses a “first electronic device 12” that communicates with a transceiver within a motor vehicle. *See id.* at [0048]. The “electronic device 12 may comprise a notebook computer, a hand-held PDA, a

cellular phone, a pager, or any other portable electronic component.” *See id.* at [0048]. Witkowski does not describe, teach or suggest, however, that the motor vehicle is communicatively coupled to a set top box via a second communication interface. **Indeed, there is no mention of a “set top box” within Witkowski.**

The current Office Action states, however, “Applicant argues: there is no mention of a ‘set top box’ within Witkowski’s invention. Examiner disagrees in response.” *See* February 21, 2008 Office Action at page 16. However, the Office Action is unable to cite any portion of Witkowski that recites “set top box.” Indeed, the Applicants respectfully reiterate that “set top box” is nowhere to be found in the disclosure of Witkowski. As such, Witkowski **cannot** describe, teach or suggest that the motor vehicle is communicatively coupled **to a set top box** (not a general RF transceiver) via a second communication interface. If the Office Action maintains this rejection, the Applicants respectfully request a specific and actual quotation from Witkowski where “set top box” is recited or a concession that such term is nowhere to be found within Witkowski.

As noted above, the Office Action acknowledges that “**Novak does not teach** at least one vehicle system to be another user’s terminal **associated with Set-top terminal.**” *See* February 21, 2008 Office Action at page 4. Further, Witkowski **does not even mention** a “set top box,” let alone describe, teach or suggest one that is coupled to a vehicle system via a second communication interface. As such, neither Novak, nor Witkowski describes, teaches or suggests “at least one vehicle system communicatively coupled to the set top box circuitry via the second communication interface.” Because neither of these references describes, teaches or suggests this limitation, the combination of the two together, by definition, also cannot describe, teach or

suggest this limitation. Thus, for at least this additional reason, the proposed combination does not render claims 1-13 unpatentable.

II. The Proposed Combination Does Not Render Claims 14-24 Unpatentable

Claim 14 also recites “at least one vehicle system communicatively coupled to the set top box circuitry.” As discussed above, the proposed combination of Novak and Witkowski does not describe, teach or suggest this limitation. Thus, for at least this reason, the proposed combination does not render claims 14-24 unpatentable.

III. The Proposed Combination Does Not Render Claims 25-30 Unpatentable

Claim 25 recites, in part, “receiving authorization information from the vehicle system; ... delivering the selected media to the vehicle system if the verification is successful and the vehicle system is available to receive the selected media; and refraining from delivering the selected media to the vehicle system if the verification is not successful or the vehicle system is not available to receive the selected media.”

The Office Action acknowledges that “Novak fails to teach the vehicle system as an [sic] user’s entity in his system” *See* February 21, 2008 Office Action page 9. Because Novak does not describe, teach or suggest a vehicle system, it therefore follows that it cannot describe, teach or suggest receiving authorization information **from a vehicle system**, or delivering media to, or refraining from delivering media to, **a vehicle system** based on verification of the authorization information.

In order to overcome this deficiency, the Office Action cites Witkowski. *See id.* In particular, the Office Action cites Witkowski at [0073], [0076], [0077], [0078], [0081] and [0082]. *See id.* However, Witkowski merely discloses that “information from the Internet” is

“transmitted via the high-speed wireless communications link between the two RF transceivers 10a and 10b automatically.” *See id.* at [0077]. Witkowski does not describe, teach or suggest **receiving authorization information from a vehicle system, nor any verification process, in general.** Thus, Witkowski also does not describe, teach or suggest receiving authorization information from a vehicle system or delivering media to, or refraining from delivering media to, a vehicle system based on verification of the authorization information.

In sum, neither Novak, nor Witkowski describes, teaches or suggests “receiving authorization information **from the vehicle system**; . . . delivering the selected media **to the vehicle system if the verification is successful** and the vehicle system is available to receive the selected media; and refraining from delivering the selected media **to the vehicle system if the verification is not successful** or the vehicle system is not available to receive the selected media,” as recited in claim 25. Because neither reference describes, teaches or suggests these limitations, the combination of the two references cannot, **by definition**, describe, teach or suggest these limitations. Thus, for at least these reasons, the proposed combination does not render claims 25-30 unpatentable.

IV. Claims 31-39 Are In Condition For Allowance

Claims 31-39 should be in condition for allowance for at least the reasons discussed above.

V. Conclusion

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right,

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however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in an Examiner's Answer to an Appeal Brief).

The Applicants respectfully submit that the claims should be allowable for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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